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UNCLAS SECTION 01 OF 03 KAMPALA 000412

SIPDIS

SENSITIVE  
SIPDIS

KHARTOUM PLEASE PASS TO JUBA  
DEPARTMENT PLEASE PASS TO USAID AND OFDA

E.O. 12958: N/A  
TAGS: [ASEC](#) [CG](#) [EAID](#) [PHUM](#) [PREF](#) [SU](#) [UG](#)  
SUBJECT: LRA-GOU PEACE AGREEMENT: IMPLICATIONS FOR NORTHERN  
UGANDA

REF: KAMPALA

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¶1. (U) Summary: The Final Peace Agreement (FPA) between the Government of Uganda and Lord's Resistance Army (LRA) awaits signature, possibly by March 28. The parties will return to Juba during the week of March 24 to determine the signature date. Whether or not the document is signed, the peace process has yielded significant dividends to the people of northern Uganda, including improved security and an opportunity to leave the internally-displaced persons camps to return to or near their homes. The U.S. can focus efforts on implementation of sections of the agreement that end the perception of northern marginalization, contribute to economic recovery and northern development, and are aimed at reconciliation to consolidate peace in northern Uganda. End Summary.

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OVERVIEW  
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¶2. (U) The Government of Southern Sudan-mediated negotiations between the Lord's Resistance Army and the Government of Uganda began in July 2006, experienced frequent delays and periods of little or no activity, and were concluded on February 29, 2008 after a month of intensive negotiations. The FPA will be comprised of seven sections: The Cessation of Hostilities Agreement Addenda Six (in effect); Comprehensive Solutions (in effect after the LRA disarmament), Accountability and Reconciliation and Annex (in effect); Permanent Ceasefire (in effect 24 hours after signing of FPA); Disarmament, Demobilization, and Reintegration (DDR) (in effect after transitional period); the Implementation and Monitoring Mechanisms (IMM) (in effect after FPA signature); and the Final Peace Agreement and Implementation Mechanism Schedule (in effect upon signature).

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CESSATION OF HOSTILITIES AND PERMANENT CEASEFIRE  
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¶3. (U) The first Cessation of Hostilities Agreement (CHA) was signed on August 26, 2006, establishing assembly areas at Rikwangba and Owiny Kibul, southern Sudan. Owiny Kibul was dropped in a later agreement. The CHA has been renewed five times. The Cessation of Hostilities Monitoring Team (CHMT) was established to verify violations of the CHA. A Permanent

Ceasefire Agreement will supercede the CHA, and the CHMT will become the Ceasefire Monitoring Team (CMT), which will manage the DDR process at the Rikwangba assembly area. The Sudan Peoples' Liberation Army will provide security, logistics, and service support to the assembly area and buffer zone. The LRA is required to fully assemble at Rikwangba within 30 days of the signing of the FPA (extendable to 60 days). A 15 kilometer buffer zone was established. Ceasefire violations include attacks, threats and acts of violence directed against the other party; hostage taking; seizure of personnel or property of humanitarian organizations; hostile propaganda; acquisition, recovery, or replenishment of arms, ammunition, or other military equipment by the LRA; and recruitment of forces by the LRA.

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COMPREHENSIVE SOLUTIONS  
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¶4. (U) The Comprehensive Solutions agreement covers the political issues raised by the LRA, and it is focused on Uganda's future. It contains mechanisms to address the impact and causes of conflict, recognizes the Peace, Recovery, and Development Plan (PRDP) and existing Government interventions, contains a reparations provision, sets up a trust fund for victims, and provides for government appointments for people from conflict-affected areas. The Joint Liaison Group, which is comprised of both Government and LRA, will make nominations for Government positions. The GOU will ensure the Equal Opportunities Commission becomes operational, actively promotes increased access to universities for individuals from the conflict-affected areas and strengthens the reestablishment of the legal system in the north, deployment of the Uganda Police Force, and district land boards. The GOU is obligated to ensure that the security services reflect national character. The GOU shall develop and implement a strategy for assisting the

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return and resettlement of internally-displaced persons and implement the PRDP.

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ACCOUNTABILITY AND RECONCILIATION PRINCIPLES AND ANNEX  
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¶5. (U) The Accountability and Reconciliation agreement and annex focus on past atrocities. The agreement allows for legal trials for the most serious crimes and traditional justice mechanisms for others. It requires the GOU to establish a Special Division of the High Court. The GOU will establish a body that analyzes the causes and effects of the conflict, examines human rights violations, and promotes truth-telling. The body may hold hearings and will publish its findings. There is separate treatment for state and non-state actors. Ugandan soldiers that committed atrocities would be prosecuted under the UPDF Act. Traditional mechanisms form the central part of the alternative justice and reconciliation framework.

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DISARMAMENT, DEMOBILIZATION, AND REINTEGRATION  
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¶6. (U) The agreement on DDR is consistent with international principles and includes provisions for the protection of children and attention to gender issues. The CMT is charged with recording information about the LRA members and determining who wants to be absorbed into the Uganda military and security agencies. The DDR can be implemented through existing mechanisms such as the Amnesty Commission. Initial disarmament and demobilization will take place at Rikwangba, southern Sudan, with reintegration occurring in Uganda. The DDR requires liaison between Sudan and Uganda and could involve a prolonged period during which the LRA assembles.

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IMPLEMENTATION AND MONITORING MECHANISMS  
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¶17. (U) Key implementing mechanisms include the Joint Liaison Group and the Oversight Forum, which provide both political oversight and technical monitoring. With the establishment of the JLG and the OF, the peace process moves to Kampala from Juba, but the GOSS mediator maintains linkages to the process. The JLG is tasked with facilitating and monitoring the implementation of the FPA. It is composed of three persons nominated by the Government, three LRA nominees, and a person selected by the Chief Mediator, who will serve as the JLG chair. The OF consists of the Chief Mediator (or representative); UNSG Special Envoy for the LRA-Affected Areas, (or representative) who shall speak for the OF; one representative from each of the African Union observer countries (Democratic Republic of Congo, Kenya, Tanzania, Mozambique, and South Africa); one representative from the other observers to the FPA (EU, United States, Canada, and Norway). The OF will meet once a month during the transition period. U.N. Special Envoy for LRA-Affected Areas Chissano's office in Kampala will provide the technical and secretariat support for the OF.

¶18. (U) The agreement established the transitional period of one month, with the possibility of extension. During the transitional period, the Government must prepare the accountability mechanisms, which include investigations, establishment of a Special Court, and make an approach to the U.N. Security Council for deferral of International Criminal Court warrants for Joseph Kony, Okot Odhiambo, and Dominic Ongwen. The LRA is obliged to observe the Permanent Ceasefire and fully assemble at Rikwangba. The DDR process would begin after the transition period. The CMT will verify whether the LRA assembled at Rikwangba and whether LRA forces in northern Uganda have surfaced. After disarmament and demobilization, the LRA would be dissolved.

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FINAL PEACE AGREEMENT AND IMPLEMENTATION SCHEDULE  
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¶19. (U) During the last round of negotiations in Juba, the parties decided that the FPA should be signed no later than March 28. The FPA document is a chapeau for the other agreements that were signed, and contains preamble language

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introducing the agreements reached. Both parties have a draft implementation schedule, which cannot be finalized until the FPA is signed because it contains the timing of various obligations that depend on the date of the FPA's signature.

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NEXT STEPS  
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¶10. (SBU) Implementation of the agreement could be slow and patchy without sustained national and international political support for the parties. The issue of LRA assembly remains key to the agreement, but Chief GOU negotiator Rugunda told the Ambassador on March 18 that he believes the LRA will sign the final agreement. He does not believe Kony will show up to sign, nor does he believe all LRA fighters will assemble. Current LRA movements on the ground and Matsanga's erratic demands appear to confirm the GOU's suspicions. (The question of the ICC remains a key concern for the LRA, and Matsanga now is demanding that the GOU request a deferral of the warrants before the FPA is signed.)

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IMPLICATIONS  
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¶11. (SBU) There is broad belief by a number of senior GOU officials and northern leaders that the Juba Peace Process has yielded results beyond the actual documents signed, or whether Kony actually disarms at this time. Improved security conditions allowed hundreds of thousands of northerners to leave squalid displaced persons camps and return to or near their homes. Currently, Government officials at the national and local levels are confident enough in the status quo, that they are de-linking the peace and recovery processes.

¶12. (SBU) The Juba Process has helped the Government with two key constituencies, the international community and northern Ugandans. The Government, by spending 18 months negotiating with the LRA, has demonstrated its commitment to peace to skeptical northerners, and now has a document that it could use to justify military operations against the LRA to its domestic and international audiences. The LRA used the negotiations to try to clean up its image for possible conversion to a political front, stave off the International Criminal Court, and buy time. However, frequent delays, squabbles over allowances, the execution of LRA deputy Vincent Otti, and claims that the LRA represented all northern Ugandans contributed to a loss of sympathy northerners and their elected and traditional leaders may have had for the LRA cause. Current foot-dragging over the signature date also is likely designed to bring the implementation of the agreement into April, when the rainy season starts and military operations become difficult.

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OUR ROLE  
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¶13. (SBU) Enhanced U.S. involvement in Juba accelerated the negotiations phase of process, which had been plagued by long delays. Coupled with significant assistance programs, U.S. actions also convinced the LRA that the U.S. was serious about the consolidation of peace and security in northern Uganda. Regardless of whether the LRA delegation can deliver on its part of the bargain, particularly the assembly of LRA forces, our role now should be to work with the Government on implementation of its "obligations," particularly those pertaining to reconstruction and reconciliation, which will benefit a tentative north-south political rapprochement within Uganda. We can also support efforts to bring as many LRA out of the bush as possible, whether through a process of disarmament, demobilization, and reintegration or through the Government's Amnesty Program. Lastly, we should continue to explore options with the GOU on means to end Kony's threat to regional stability and development.  
BROWNING